

JCO4 REC'D PCT/PTO 14 NOV 2005 #5

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/516,400	RECEIVED 5 JAN 2006	
	PCT 371 Filing Date	Dec 1, 2004		
	First Named Inventor	Smith et al.		
	Art Unit	Unknown		
	Examiner Name	Unknown		
Total Number of Pages in This Submission	22	Attorney Docket Number	142.016US01	Legal Staff International Division

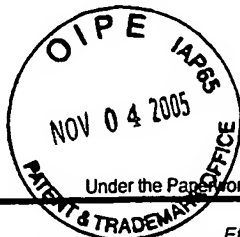
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to (TC)
<input checked="" type="checkbox"/> Credit Card Payment Form	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Petition for 4-month extension of time to respond	<input checked="" type="checkbox"/> Consent of Assignee with copies of two assignments
<input type="checkbox"/> Information Disclosure Statement	<input checked="" type="checkbox"/> Request to Add Inventor	<input checked="" type="checkbox"/> Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input checked="" type="checkbox"/> Statement of Rob Howe	<input checked="" type="checkbox"/> Supplemental Application Data Sheet
<input checked="" type="checkbox"/> Reply to Missing Requirements Under 35 USC 371		<input checked="" type="checkbox"/> Return postcard
<input checked="" type="checkbox"/> Required copy of Notice of Missing Requirements		
Remarks		
CUSTOMER NO. 34206		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fogg and Associates, LLC		
Signature			
Printed name	Laura A. Ryan		
Date	November 2, 2005	Reg. No.	49,055

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mailstop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Lisa D. Gentry	Date	November 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 12/8/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005**Complete if Known**

Application Number	10/516,400
Filing Date	12/1/2004
First Named Inventor	Smith, et al.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	142.016US01

☒ Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **925.00****METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 502432 Deposit Account Name: Fogg & Associates, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charges fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	N/A
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity	Small Entity
	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP = 0	x	\$50.00	=	\$ 0.00		
				\$360.00		N/A

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	
- 3 or HP = 0	x	\$200.00	=	\$ 0.00

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41 (a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
0	- 100 = 0	/ 50 = 0 (round up to a whole number) x	\$250.00	= \$ 0.00

4. OTHER FEE(S)

Fee Under 37 CFR 1.17(i)	\$130 fee (no small entity discount)	\$130.00
Other: Petition for 4-Month Extension of Time		\$795.00

SUBMITTED BY

Signature		Registration No. 49055 (Attorney/Agent)	Telephone 612-455-1685
Name (Print/Type)	Laura A. Ryan	Date	November 2, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Applicant	Smith et al.	RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
Serial No.	10/516,400	
PCT 371 Filing Date	December 1, 2004	
Group Art Unit	Unknown	
Examiner Name	Unknown	
Attorney Docket No.	142.016US01	
Title: IMAGE PROCESSING SYSTEM FOR USE WITH A PATIENT POSITIONING DEVICE		

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

In response to the Notice of Missing Requirements mailed May 4, 2005 in the
above-identified application, Applicants enclose the following:

1. Required copy of the Notice of Missing Requirements;
2. Request to Correct Inventorship Under 37 CFR 1.48(a);
3. Statement of Robert Edward Howe;
4. Consent of Assignee, Vision RT Limited;
5. Signed Declaration of the four inventors;
6. Supplemental Application Data Sheet;
7. Petition for a four-month extension of time for response; and
8. Credit Card Payment form for payment of the extension fee (\$795) and the
petition fee for correction of inventorship (\$130).

It is believed that no additional fees are due in connection with this Response.
However, the Office is hereby authorized to charge any additional fees, or credit any
overpayment, to Deposit Account 502432.

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REQUEST TO CORRECT INVENTORSHIP

PAGE 2

Serial No. 10/516,400

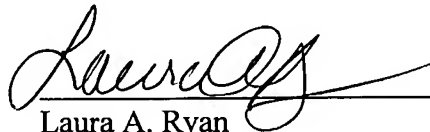
Attorney Docket No. 142.016US01

Title: IMAGE PROCESSING SYSTEM FOR USE WITH A PATIENT POSITIONING
DEVICE

If a telephone conference would be of assistance, please contact Laura A. Ryan
at (612) 455-1685.

Respectfully submitted,

Date: 11-2-2005



Laura A. Ryan
Reg. No. 49,055

Attorneys for Applicant
Fogg and Associates, LLC
P.O. Box 581339
Minneapolis, MN 55458-1339
T – (612) 332-4720
F – (612) 332-4731



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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LAR/LDG

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,400	Norman R Smith	142.016US01

INTERNATIONAL APPLICATION NO.

PCT/GB03/02955

I.A. FILING DATE	PRIORITY DATE
07/08/2003	07/08/2002

34206
FOGG AND ASSOCIATES, LLC
P.O. BOX 581339
MINNEAPOLIS, MN 55458-1339

CONFIRMATION NO. 5046

371 FORMALITIES LETTER



OC000000015930930

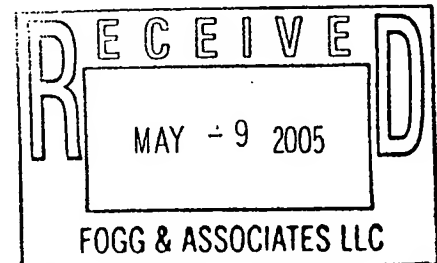
Date Mailed: 05/04/2005

Missing Parts Due 7/4/05
FINAL 12/4/05

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/01/2004
- Copy of the International Search Report filed on 12/01/2004
- Preliminary Amendments filed on 12/01/2004
- Information Disclosure Statements filed on 02/25/2005
- U.S. Basic National Fees filed on 12/01/2004
- Priority Documents filed on 12/01/2004



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,400	PCT/GB03/02955	142.016US01

FORM PCT/DO/EO/905 (371 Formalities Notice)

Applicant	Smith et al..	REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR § 1.48(a)
Serial No.	10/516,400	
PCT 371 Filing Date	December 1, 2004	
Group Art Unit	Unknown	
Examiner Name	Unknown	
Attorney Docket No.	142.016US01	
Title: IMAGE PROCESSING SYSTEM FOR USE WITH A PATIENT POSITIONING DEVICE		

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Applicants respectfully request that the inventorship of the above-identified patent application be corrected to add the following individual as an inventor:

Robert Edward Howe
32/336 Boundary Street
Spring Hill
Queensland 4000
Australia
Citizen of Australia

Rob Howe was inadvertently omitted when this application was filed on December 1, 2004. After the addition of this inventor, the record should show the following four individuals as joint inventors: Norman Ronald Smith, Daniel Ivan Meir, Gideon Matthes Hale, and Rob Howe.

Pursuant to 37 CFR § 1.48(a), also included with this Request for Correction are: (1) a signed Statement from Rob Howe stating that the error in inventorship occurred without deceptive intention on his part; (2) a Declaration signed by the four actual inventors; and (3) the Consent of the Assignee.

The undersigned patent attorney respectfully submits that the error arose without any deceptive intention on the part of the person, who through error, was not named as an inventor. Therefore, correction of the inventorship is appropriate under 37 CFR §1.48(a).

REQUEST TO CORRECT INVENTORSHIP

PAGE 2

Serial No. 10/516,400

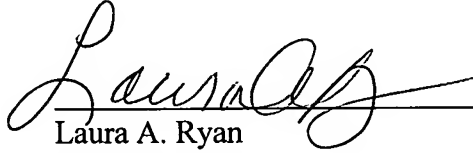
Attorney Docket No. 142.016US01

Title: IMAGE PROCESSING SYSTEM FOR USE WITH A PATIENT POSITIONING
DEVICE

A favorable response to this request is respectfully requested. If a telephone conference would be of assistance, please contact Laura A. Ryan at (612) 455-1685.

Respectfully submitted,

Date: 11-2-2005



Laura A. Ryan
Reg. No. 49,055

Attorneys for Applicant
Fogg and Associates, LLC
P.O. Box 581339
Minneapolis, MN 55458-1339
T – (612) 332-4720
F – (612) 332-4731

Applicants	Smith et al.	STATEMENT IN SUPPORT OF A REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR § 1.48(a)
Serial No.	10/516,400	
PCT 371 Filing Date	December 1, 2004	
Group Art Unit	Unknown	
Examiner Name	Unknown	
Attorney Docket No.	142.016US01	
Title: IMAGE PROCESSING SYSTEM FOR USE WITH A PATIENT POSITIONING DEVICE		

**STATEMENT OF ROBERT EDWARD HOWE IN SUPPORT OF A REQUEST
TO CORRECT INVENTORSHIP UNDER 37 CFR §1.48(a)**

Commissioner for Patents
 Washington, D.C. 20231

I, Robert Edward Howe, make this statement pursuant to 37 CFR § 1.48(a) to correct the inventorship of the invention claimed in the above-identified patent application, U.S. application serial No. 10/516,400, at the time the application was filed.

At the time of filing of the above-identified application in the United States Patent and Trademark Office, Norman Ronald Smith, Daniel Ivan Meir, and Gideon Matthew Hale were named as inventors. However, after further consideration, it was determined that I am an inventor for some of the claims in the subject application. The omission of my name at the time of filing of the international application (PCT/GB2003/002955, filed July 8, 2003) and of the present national stage application under 35 U.S.C. 371 was inadvertent, and the error in inventorship was made without deceptive intent on my part.

Date: 11 October 2005



 Robert Edward Howe

Applicant(s)	Norman R. Smith et al.	<u>CONSENT OF ASSIGNEE</u> <u>TO CORRECT</u> <u>INVENTORSHIP UNDER</u> <u>37 C.F.R. §1.48(a)</u>
Serial No.	10/516,400	
PCT 371 Filing Date	December 1, 2004	
Group Art Unit	Unknown	
Examiner Name	Unknown	
Attorney Docket No.	142.016US01	
Title: IMAGE PROCESSING SYSTEM FOR USE WITH A PATIENT POSITIONING DEVICE		

Commissioner for Patents
 Washington, D.C. 20231

Vision RT Limited. of Daws House, 33-35 Daws Lane, London NW7 4SD, United Kingdom, being the sole owner of the above-identified application, as evidenced by the Assignment, a copy of which is enclosed herewith, hereby consents to the change of inventorship in the above-identified patent application by the addition of Robert Edward Howe to the three originally named inventors (Norman Ronald Smith, Ivan Daniel Meir and Gideon Matthew Hale).

I declare that I am an official of the Assignee and am empowered to authorize this consent.

By: 

Date: 11/Oct/05

Title: 11th October 2005